


larger carriers do. This places an unfair burden against smaller carriers and carriers that provide 'niche' services such as Telegrams, Telecommunications Relay Services for the hearing impaired (TRS), etc. In order to compete, it is vital that all carriers have the same billing rates.

Respectfully submitted,

Nevadacom



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Dated: July 16, 1997

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In the Matter of)

INCUMBENT LOCAL EXCHANGE CARRIERS)
PROVIDING INTEREXCHANGE CARRIERS)
WITH ACCESS TO CASUAL CALLING)
CUSTOMER BILLING INFORMATION)

AMERICA'S CARRIER TELECOMMUNICATION)
ASSOCIATION ("ACTA"))
Petitioner)

DA 97-825

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COMMENTS OF NEVADACOM

To the Commission:

Nevadacom hereby comments on America's Carrier Telecommunication Association (ACTA) petition for a declaratory ruling in the matter of incumbent local exchange carriers providing interexchange carriers with access to casual calling customer billing information.

Nevadacom is a Telegram company which delivers messages to customers in the United States and Canada, 365 days a year, providing same day, next day, two day and three day messages. In addition to Agents throughout the United States and Canada, Nevadacom's International Network¹ delivers messages worldwide. Nevadacom transmits urgent personal and business messages to areas affected by natural disasters and emergencies, where no other means of communication is available.

Much of Nevadacom's Telegram business is casual and originated via 800 numbers available nationwide and in Canada. Customers dial 800 numbers to reach a Nevadacom

¹ Nevadacom provides International Service pursuant to its' FCC authorization. Order and Authorization, File No. ITC-95-620 (rel. January 15, 1996)

representative who can transcribe the customers' message and have it delivered to the recipient by fax, hand, phone or mail. The charge for the Telegram is based on the number of words and method of delivery. In many cases, customers choose to bill their messages to their local phone bill. This can be done because Nevadacom has billing and collection agreements through clearing houses with local exchange carriers.

The newer entrants to the Telegram industry, have worked long and hard to establish billing and collection agreements with every Regional Bell Operating Company (RBOC) and most of the Independent Local Exchange Carriers (LECs). Even under current law, this has not been an easy task. Many RBOCs were reluctant to allow newer entrants billing and collection and it took many years to accomplish this nationwide. Nevadacom is concerned that should the Commission not issue the declaratory relief sought by the ACTA petition, not only could the incumbent LECs discontinue billing for Interexchange Carriers (IXCs) but also for other essential Common Carrier services such as Telegrams.

It is vital that Nevadacom and other similar carriers be able to continue billing its customers Telegrams to their Local Exchange Carrier bill. Traditionally, Telegraphic services have been billed in this manner. The public expects to charge Telegraphic Services to their phone bill. In addition, many of Nevadacom's customers do not have credit cards and would not be able to utilize Nevadacom's Common Carrier services including urgent and emergency Telegrams, if LECs did not provide billing. Further, since Telegram customers are predominantly casual, LEC billing is vital, to insure a healthy competitive industry.

As a resale Common Carrier providing Telegram service by means of facsimile through the resale of Interexchange Carrier Services and as an Emergency Service provider, it is imperative that Nevadacom continue to have 10XXX access. Nevadacom has experienced outages by its

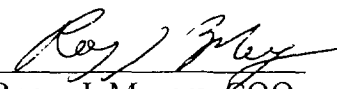
IXCs in the past and has had to invoke this alternate means in order to continue to provide service. Nevadacom believes that without the declaratory relief sought, 10XXX access will be at risk. Nevadacom agrees with the ACTA petition that the main losers in such a situation will be the public.

Nevadacom is concerned that new alternate LECs also be required to provide billing information to requesting carriers. Nevadacom is unable at the present time to provide LEC billing for such customers. With new competition in the local markets emerging rapidly, it is vital that all IXCs and carriers such as Nevadacom be able to provide LEC billing services to all alternate LEC customers. Nevadacom believes that the declaratory relief sought would insure this.

In conclusion, Nevadacom encourages the Commission to issue the declaratory ruling sought in the instant ACTA petition.

Respectfully submitted,

Nevadacom


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Dated: May 6, 1997

CERTIFICATE OF SERVICE

I, Joan Stewart, an employee in the law offices of Helein & Associates, P.C., do hereby certify that on the 16th day of July 1997 , I served a true copy of the foregoing "**COMMENTS OF NEVADACOM**" by hand delivery upon the following:

Secretary

Federal Communications Commission
1919 M Street, N.W., Room 222
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(Via Hand Delivery)

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